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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,438	01/10/2002	Keijo Laiho	032986-020	1334

27045 7590 07/06/2006

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EXAMINER
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DOAN, KIET M

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/043,438

Applicant(s)

LAIHO ET AL.

Examiner

Kiet Doan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25,27-31,33,38,39,47 and 48 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 25,27-31,33,38,39,47 and 48 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This office action is response to Remarks file on 04/20/2006

Claims 25, 31, 39, 47-48 are amended.

Claims 26, 32 are cancelled.

#### ***Claim Objections***

Claim 31 objected due to amended statement did not under line.

Appropriate correction is required.

#### ***Response to Arguments***

Applicant's amended claims and arguments filed 04/20/2006 have been fully considered but they are not persuasive.

In response to applicant argument that reference not address the term "multi-mode telecommunication device" as a device capable of communicating with telecommunication network that operate on different frequency or networks that operate using different access technologies.

Examiner respectfully disagrees, in specification there is nowhere show or teach different frequency 800/900/1900 MHz and in Vialen reference teach networks that operate using different access technologies (Paragraphs [0040], Fig.1, Illustrate mobile station capable communicates both GSM and GPRS core network that means as multi-mode telecommunication device capable communicating using different access technologies).

In response to applicant argument that reference fail to teach or suggest "sending over one network a message that indicates a preferred network over which to communicate".

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Examiner respectfully disagrees, the rejection is base on claim languages "sending a paging message to the mobile telecommunication device from a core network the paging message specifying a preferred one of the plurality of access networks for the connection" (C3, L41-67, C4, L1-20, Fig.1, Illustrate core network which sending a paging message to the mobile telecommunication device and Fig.2 Illustrate transceiver paging message between plurality BTS/access network and mobile telecommunication/station).

Therefore, Examiner interpreted "sending a paging message to the mobile telecommunication device from a core network the paging message specifying a preferred one of the plurality of access networks for the connection" as broadest reasonable interpretation and it is proper.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 25, 27-31, 33, 38-39, 47, 48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vialen et al. (Pub. No. 2002/0019241) in view of Ahmavaara et al. (Patent No. 6,792,278).

Consider **claims 25, 48**, Vialen teaches a method of initiating a connection to a multi-mode mobile telecommunication device via one of a plurality of access networks, wherein the multi-mode telecommunication device is

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adapted to operate on two or more radio frequencies or two or more mobile telecommunication access networks (Paragraph [0016-0019], [0023, 0028] teach mobile station having multicall paging response in core network/radio access network). Viealen teaches the limitation of claim as discuss **but silent on** the method comprising the step of

    sending a paging message to the mobile telecommunication device from a core network the paging message specifying a preferred one of the plurality of access networks for the connection, and

receiving a paging response signal from the mobile telecommunication device to the core network over the preferred one of the plurality of access networks, and subsequently setting up the connection over the preferred one of the plurality of access networks.

In an analogous art, Ahmavaara teaches "Method for establishing a signaling connection with a mobile station". Further, **Ahmavaara teaches** comprising the step of

    sending a paging message to the mobile telecommunication device from a core network the paging message specifying a preferred one of the plurality of access networks for the connection, and

receiving a paging response signal from the mobile telecommunication device to the core network over the preferred one of the plurality of access networks, and subsequently setting up the connection over the preferred one of the plurality of access networks (Abstract, C3, L41-67, C4, L1-20, Fig.1, Illustrate core network which sending a paging message to the mobile telecommunication

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device and Fig.2 Illustrate transceiver (transmit/receive) paging message between plurality BTS/access network and mobile telecommunication/station. C5, L14-17 teach set up data connection which means as set up the connection over preferred one of plurality access network).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Stephens and Ahmavaara system, such that multi-mode mobile telecommunication device operate on two or more radio frequencies or two or more mobile telecommunication access networks and sending/receiving a paging message to the mobile telecommunication device from a core network, to provide means for variety option/use in different telecommunication network.

Consider **claim 27**, Ahmavaara teaches the method additionally comprising the step of returning a paging response signal from the mobile telecommunication device to the core network over a mobile telecommunication access network to which the device is currently monitoring, and subsequently setting up the connection over the preferred one of the plurality of access networks (C4, L5-18, Fig.2, Illustrate response which means as step of returning a paging response signal).

Consider **claim 28**, Vialen teaches the method wherein the step of sending a paging signal to the mobile telecommunication device comprises the step of transmitting a paging signal specifying the preferred one of the plurality of

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access networks for the connection over each of a plurality of networks to which the device may monitor (Paragraphs [0016-0019], [0028]).

Consider **claim 29**, Ahmavaara teaches the method wherein the connection is one of a facsimile connection, data connection, or multi-media connection (C5, L40-67, C6, L1-24, teach data connection)

Consider **claim 30**, Vialen teaches the method according wherein the preferred one of the plurality of access networks for the connection is one of a GSM access network and a UMTS access network (Paragraphs [0034]).

Consider **claim 31, 38-39 and 47-48**. Vialen teaches a paging control system for a multi-mode mobile telecommunication device, wherein the multi-mode telecommunication device is adapted to operate on two or more radio frequencies or two or more mobile telecommunication access networks, the system comprising:

input means for receiving a paging message initiating a connection a first of a plurality of available access networks for the multi-mode mobile telecommunication device (Paragraph [0016-0019], [0023, 0028] teach mobile station having multicall paging response in core network/radio access network);  
and

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**Ahmavaara teaches** means for determining from the connection setup message whether there is a preferred mobile telecommunication access network for the connection

transmission means for causing the transmission of a paging message corresponding to the connection setup message over respective paging channels of two or more mobile telecommunication access networks serving the multi-mode mobile telecommunication device, the paging message containing an indication of the preferred mobile telecommunication access network for the connection and

means for receiving a paging response signal from the mobile telecommunication device to the paging message over the preferred mobile telecommunication access network, and subsequently setting up the connection over the preferred one of the plurality of access networks (C3, L41-67, C4, L1-20, Fig.1, Illustrate core network which sending a paging message to the mobile telecommunication device and Fig.2 Illustrate transceiver paging message between plurality BTS/access network and mobile telecommunication/station. C5, L14-17 teach set up data connection which means as set up the connection over preferred one of plurality access network).

Consider **claim 33**, Ahmavaara teaches the paging control system to claim 31, wherein the system is located in a Mobile Switching Centre of a core network serving a plurality of access networks (C3, L54-58, Fig.1, Illustrate MSC and plurality of access networks).



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

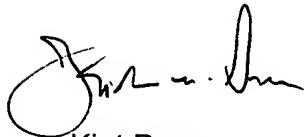
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Kiet Doan  
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